

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CHRISTOPHER E. BROWN,
an individual,
Plaintiff, : CASE NO: 08-cv-5603
:
- against - :
Rule 7.1 Statement
THE GREAT ATLANTIC & PACIFIC TEA COMPANY, :
INC., d/b/a THE FOOD EMPORIUM, :
a Maryland Corporation,
Defendant. :
:
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Defendant The Great Atlantic & Pacific Tea Company, Inc., d/b/a The Food Emporium, as and for its Statement pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, states that:

1. Defendant, The Great Atlantic & Pacific Tea Company, Inc., is publicly traded.
2. No publicly held corporation owns 10% or more of The Great Atlantic & Pacific Tea Company, Inc.'s stock. Tengelmann Warenhandelsgesellschaft KG ("Tengelmann Group"), a privately held German company, is the parent corporation, owns approximately 38%, and is the majority shareholder of The Great Atlantic & Pacific Tea Company, Inc.'s stock.

Dated: August 22, 2008
New York, New York

PRYOR CASHMAN LLP

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